

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 1:16-cr-37

Also Case No. 1:19-cv-932

-vs-

CHARLES RACHEL,

District Judge Susan J. Dlott

Magistrate Judge Michael R. Merz

Defendant.

:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No.46), to whom this case was referred pursuant to 28 U.S.C. § 636(b) and Amended General Order 22-05. Noting that no objections have been filed thereto and time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Motion for Reduction of Sentence under the "Holloway Doctrine" (ECF No. 33) is DENIED. If said Motion is construed instead to be a motion to vacate under 28 U.S.C. § 2255, it is DISMISSED with prejudice as barred by the statute of limitations. The Clerk will enter judgment accordingly.

April 24, 2024.



Susan J. Dlott
United States District Judge